

STATEMENT OF PURPOSE

RS23376

This bill is a recommendation of the Supreme Court's Bail Bonds Guidelines Committee. Under current Idaho statutes, when a criminal defendant fails to appear in court as required, the court must issue a bench warrant for the defendant's arrest and must set an amount of bail on the warrant. The result is that a defendant who is arrested on the bench warrant will sometimes post bail, be released from jail, and then again fail to appear in court as required. This further delays proceedings and defeats the ends of justice. This bill would help to correct this situation by giving courts discretion to either set no bail on a bench warrant, or to set bail but require that the defendant actually appear before the court where the charges are pending before being released. This will allow a judge to set appropriate bail when the defendant actually appears in court and to set additional conditions of release to ensure the defendant's future appearance in court.

FISCAL NOTE

None.

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